

IN THE NAME OF YAHWEH God
of ALL THE Worlds ✓

KEVIN W. DUNIGAN

Name

5032 CHAMPIONS AVE

Las Vegas, NV 89142

(702) 319-4706

~~IN PRO PER~~ SPECIALIST

2007 OCT 17 P 4:18

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

KEVIN DUNIGAN,
Plaintiff,

vs.

2:07-cv-01396-PMP-PAL

ENCORE PRODUCTIONS INC.,

DESERT PALACE, INC. d/,

b/2 CAESARS PALACE,

HARRAH'S ENTERTAINMENT

Defendant(s).

CIVIL RIGHTS COMPLAINT
PURSUANT TO
42 U.S.C. § 1983

A. JURISDICTION

- 1) This complaint alleges that the civil rights of Plaintiff, KEVIN W. DUNIGAN
(Print Plaintiff's name)

who presently resides at 5032 CHAMPIONS WY LV NV 89142, were

violated by the actions of the below named individuals which were directed against

Plaintiff at DESERT PALACE INC. MANDALAY BAY, HARRAH'S ENT. (ENSE HARRAH'S ENT.) on the following dates
(institution/city where violation occurred)

FEB. 4, 2004

(Count f)

FEB. 10 & 23, 2006

(Count ff)

JAN. 26, 2007

(Count fff)

Make a copy of this page to provide the below
information if you are naming more than five (5) defendants

2) Defendant Rich CARL ^{LV, NV} resides at ONE CAESAR'S PALACE DR. 89109.
(full name of first defendant) RENO (address if first defendant)
and is employed as MANAGE TECHNICAL SERVICE / CAESAR'S PALACE. This defendant is sued in his/her
(defendant's position and title, if any)
☒ individual ☒ official capacity. (Check one or both). Explain how this defendant was
acting

under color of law: LIBEL, SLANDER, RIDING AND ABETTING RELIGIOUS PERSECUTION, DENIAL OF EQUAL PROTECTION AND DUE PROCESS

P) Defendant SEC. MANAGER / HAMILTON ^{LV, NV} resides at ONE CAESAR'S PALACE DR. 89109.
(full name of first defendant) (address if first defendant)
and is employed as SECURITY MANAGER / CAESAR'S PALACE. This defendant is sued in his/her
(defendant's position and title, if any)
☒ individual ☒ official capacity. (Check one or both). Explain how this defendant was
acting

under color of law: " "

4) Defendant Richard DICKMAN ^{LV, NV} resides at ONE CAESAR'S PALACE DR. 89109.
(full name of first defendant) (address if first defendant)
and is employed as SECURITY OFFICER / CAESAR'S PALACE HOTEL. This defendant is sued in his/her
(defendant's position and title, if any)
☒ individual ☒ official capacity. (Check one or both). Explain how this defendant was
acting

under color of law: " "

5) Defendant Charles L. Atwood ^{LV, NV} resides at ONE CAESAR'S PALACE DR. 89109.
(full name of first defendant) (address if first defendant)
and is employed as DIRECTOR, TREASURER / DESERT PALACE INC.. This defendant is sued in his/her
(defendant's position and title, if any)
☒ individual ☒ official capacity. (Check one or both). Explain how this defendant was
acting

under color of law: " "

Make a copy of this page to provide the below
information if you are naming more than five (5) defendants

2) Defendant GARY W. LOUEMAN resides at 1 CAESAR'S PALACE DR 89109 ^{LV, NV}
(full name of first defendant) (address if first defendant)
and is employed as DIRECTOR/PRESIDENT HANNAH'S ENT. INC. This defendant is sued in his/her
(defendant's position and title, if any)
☒ individual ☒ official capacity. (Check one or both). Explain how this defendant was
acting

under color of law: " "

P) Defendant JONATHAN HALKYARD resides at ONE CAESAR'S PALACE DR 89109 ^{LV, NV}
(full name of first defendant) (address if first defendant)
and is employed as TREASURER/HANNAH'S ENT. INC. This defendant is sued in his/her
(defendant's position and title, if any)
☒ individual ☒ official capacity. (Check one or both). Explain how this defendant was
acting

under color of law: " "

4) Defendant STEPHAN H BRAMMER resides at ONE CAESAR'S PALACE DR 89109 ^{LV, NV}
(full name of first defendant) (address if first defendant)
and is employed as SECRETARY/HANNAH'S ENT. INC. This defendant is sued in his/her
(defendant's position and title, if any)
☒ individual ☒ official capacity. (Check one or both). Explain how this defendant was
acting

under color of law: " "

5) Defendant PAUL A. ADES resides at ONE HANNAH'S COURT LAS VEGAS, NV 89119
(full name of first defendant) (address if first defendant)
and is employed as ASS. GENERAL COUNSEL/HANNAH'S ENT. This defendant is sued in his/her
(defendant's position and title, if any)
☒ individual ☒ official capacity. (Check one or both). Explain how this defendant was
acting

under color of law: " "

**Make a copy of this page to provide the below
information if you are naming more than five (5) defendants**

2) Defendant MARK VAN HARTSVELT resides at 5150 S. Decatur Blvd ^{LV NV 89118}.
 (full name of first defendant) (address if first defendant)
 and is employed as DIRECTOR / ENCORE PRODUCTIONS. This defendant is sued in his/her
 (defendant's position and title, if any)
☒ individual ☒ official capacity. (Check one or both). Explain how this defendant was
 acting

under color of law: 11 11

P) Defendant Phillip K. Cooper resides at 4600 Balfam St. ^{LV NV 89131}.
 (full name of first defendant) (address if first defendant)
 and is employed as TREASURER / ENCORE PRODUCTIONS. This defendant is sued in his/her
 (defendant's position and title, if any)
☒ individual ☒ official capacity. (Check one or both). Explain how this defendant was
 acting

under color of law: 11 11

4) Defendant William E. Dayton resides at 41 PRINCEVILLE ^{LV NV 89113}.
 (full name of first defendant) (address if first defendant)
 and is employed as PRESIDENT, ENCORE PRODUCTIONS. This defendant is sued in his/her
 (defendant's position and title, if any)
☒ individual ☒ official capacity. (Check one or both). Explain how this defendant was
 acting

under color of law: 11 11

5) Defendant Sid Pike resides at 5150 S. Decatur ^{LV NV 89118}.
 (full name of first defendant) (address if first defendant)
 and is employed as ACCOUNT EXECUTIVE / ENCORE. This defendant is sued in his/her
 (defendant's position and title, if any)
☒ individual ☒ official capacity. (Check one or both). Explain how this defendant was
 acting

under color of law: 11 11

under color of law: _____

under color of law: _____

under color of law: _____

under color of law: 1 11

Make a copy of this page to provide the below
information if you are naming more than five (5) defendants

2) Defendant GARY W. LOVEMAN resides at ONE CAESAR'S PALACE DR. 89109 ^{LV NV}
(full name of first defendant) (address if first defendant)
and is employed as PRESIDENT DIRECTOR / DESERT PALACE INC. This defendant is sued in his/her
(defendant's position and title, if any)
☒ individual ☒ official capacity. (Check one or both). Explain how this defendant was
acting

under color of law: " "

P) Defendant STEPHAN H BRAMMEL resides at ONE CAESAR'S PALACE DR. 89109 ^{LV NV}
(full name of first defendant) (address if first defendant)
and is employed as SECRETARY / DESERT PALACE INC. This defendant is sued in his/her
(defendant's position and title, if any)
☒ individual ☒ official capacity. (Check one or both). Explain how this defendant was
acting

under color of law: " "

4) Defendant ALBINA LOVASZ resides at ONE HARRAH'S COURT / LAS VEGAS NV 89119
(full name of first defendant) (address if first defendant)
and is employed as LABOR & EMPLOYMENT SPEC / HARRAH'S ENT. INC. This defendant is sued in his/her
(defendant's position and title, if any)
☒ individual ☒ official capacity. (Check one or both). Explain how this defendant was
acting

under color of law: " "

5) Defendant JUDITH SCHAFFER resides at ONE HARRAH'S COURT / LAS VEGAS NV 89119
(full name of first defendant) (address if first defendant)
and is employed as _____ This defendant is sued in his/her
(defendant's position and title, if any)
☒ individual ☒ official capacity. (Check one or both). Explain how this defendant was
acting

under color of law: " "

6) Defendant _____ resides at _____.
(full name of first defendant) (address if first defendant)
and is employed as _____. This defendant is sued in his/her
(defendant's position and title, if any)
_____ individual _____ official capacity. (Check one or both). Explain how this defendant was
acting
under color of law: _____

7) Jurisdiction is invoked pursuant to 28 r .p.C. § 1P4P (a)(P) and 42 r .p.C. § 198P. If you wish to assert jurisdiction under different or additional statutes, list them below.

NEW. Rdes. Civil Procedures § Rule 6 (b)(2); see "Exhibit A"

B. NATURE OF THE CASE

1) Briefly state the background of your case.

THE UNITED STATES SUPREME COURT HAS DEALT WITH THIS RACIAL AND DISCRIMINATORY TYPE "EVIL EYE" INTRUSION IN, YICK WO V. HOPKINS (1886) 6 S.Ct. 1064, 1073. Though the LAW BE fair on its face AND impartial in its APPEARANCE, yet it is APPLIED AND ADMINISTERED by public authority with AN "EVIL EYE" AND UNEQUAL HAND, so as practically to make unjust and illegal discriminations between persons in similar circumstances, MATERIAL to their rights, the DENIAL of equal justice is still within the prohibitions of the constitution; IN AN untimely response in RE: U.S. E.E.O.C. Charge # 480-2006-03509; ON 11-8-2006 THE COMMISSION REQUESTED A position statement with a due date of 12-8-2006. ON 3-30-07 COMES

C. CAUSE OF ACTION

COUNT I

The following civil rights has been violated:

Fourth, Eighth,
and Fourteenth U.S. Amendments to the
Constitution

Supporting Facts: [include all fact you consider important. State the facts clearly, in your own words, and without citing legal authority or argument. Be sure you describe exactly what each specific defendant (by name) did to violate your rights].

ON 2-4-06 @ 1900 hrs CEARSA's security officer Richard Dickman did use RACISM when he allowed my CAUCASIAN co-workers to pass directly by him and detain myself (black male) for questioning as to why I was dining at Cleo's Cafe. He did not act as if he believed my assertion that I was working for ENCORE Productions at CEARSA's Palace. So he stated and commenced to escort me back to my work site. I told him his actions were clearly racist then he demanded that I come to security office. But based upon "DICKMAN'S" report, he asserts ENCORE employees have no privilege at Cleo's but failed to stop my white co-workers. (Robert Wuloff & Lee Calcaterra I.A. co-workers) When I got to the security office Frye told me to go sit in a separate room, which only contained a black bench with handcuffs attached to the seat. Nothing was actually done to effectuate my release until the "Black" Lt. Hamilton arrived. After my release I sat and called my union hall Local 720. Then I returned to my station. My ENCORE supervisor seemingly could care less.

COUNT II

The following civil rights has been violated: Eighth and Fourteenth Amendments to the U.S. Constitution Also First Amendment.

Supporting Facts: [include all fact you consider important. State the facts clearly, in your own words, and without citing legal authority or argument. Be sure you describe exactly what each specific defendant (by name) did to violate your rights].

Subsequent to my initial complaint against CESAR'S ENCORE Supervisors began showing me open hostility. I personally made a verbal complaint to Sid Pike about his own abusive tones towards me in exercising his supervisor capacity over me. While ENCORE Productions used hostile measures to discontinue my employment, on 2-10-06 while being dispatched as an AV Tech to MINDALAY Bay ENCORE showed an out of town client's rudeness and overbearing attitude towards the plaintiff instead of informing the truth of the matter, that the projector was substandard for first letter of NO RE-HIRE. And on 2-23-06 an ENCORE supervisor was very rude and hostile towards me in his assertion to tell me his analysis of my work duty. Not even considering my task was either complete or did I need some supervisory assistance. So I did respond to him in the manner in which he spoke to me. At this point his name is John Doe. I was a supervisor I never seen in plain clothes so I thought he was a client. SEE: exhibit D

COUNT III

The following civil rights has been violated: FIRST, Fourth, Eighth, AND
FOURTEENTH AMENDMENTS of the U.S. Consti-
tution

Supporting Facts: [include all fact you consider important. state the facts clearly, in your own words, and without citing legal authority or argument. Be sure you describe exactly what each specific defendant (by name) did to violate your rights].

PAUL ADES CLEARLY STATES IN POSITION STATEMENT P-2 § II
 ENCORE EMPLOYEES ARE PERMITTED 1 MEAL, SO IF DUNIGAN
 ABUSED THE PRIVILEGE, DIDN'T THE OTHER THREE ENCORE
 EMPLOYEES WHO WERE NOT DETAINED? ALSO MISCONSTRUCTS
 FACT REGARDING DUNIGAN REQUESTING TO SEE DICKMAN'S SUPER-
 VISOR, WHILE ON PAGE 3 § III ADES PERJURES HIMSELF WITH
 REGARD TO DUNIGAN'S NEVER BEING EMPLOYED BY THE COMPANY.
 ATTACHED TO EXHIBIT " " IS AN EARNINGS REPORT PROVING
 DUNIGAN HAS BEEN EMPLOYED BY THE COMPANY PRIOR TO
 THE WRITING OF ADES POSITION STATEMENT. SO IF DUNIGAN'S
 RACE WASN'T A FACTOR AND DICKMAN WOULD HAVE TREATED
 ANYBODY THE SAME WAY, WHY DIDN'T HE DETAIN THE
 OTHER GENTLEMEN WHO WERE AT THE TABLE WITH
 DUNIGAN. ALL OF US WERE WEARING OUR LOCAL 720 UNION
 BADGES IN CLEAR SIGHT. NOT LIKE THE CLAIM THAT I
 HAD NO VISIBLE I.D. CLEARLY THESE HARRAH'S MISCONSTRUCTED
 FACTS ARE PERJURIOUS AND TOTALLY SUPPORTIVE OF DICKMAN'S
 RACISM.

D. PREVIOUS LAWSUITS AND ADMINISTRATIVE RELIEF

- 1) Have you filed other actions in state or federal courts involving the **same or similar facts** as involved in this action? ☒ Yes ☐ No. If your answer is "Yes", describe the lawsuit. (If more than one, describe the others on an additional page following the below

outline).

- a) Defendants: Yolo County & California Dept. of Corrections
- b) Name of court and docket number: U.S. Court Eastern Dist. California/05-cv-1054 DFL
- c) Disposition (for example, was the case dismissed, appealed or is it still pending?): GBH. P.S.
- d) Issues raised: Religious persecution, Racial discrimination, slander, sexual harassment, unlawful imprisonment.
- e) Approximate date it was filed: MAY 27, 2005
- f) Approximate date of disposition: Nov. 22, 2005

- 2) Have you filed an action in federal court that was dismissed because it was determined to be frivolous, malicious, or failed to state a claim upon which relief could be granted?

☒ Yes ☐ No. If your answer is "Yes", describe each lawsuit. (If you had more than three actions dismissed based on the above reasons, describe the others on an additional page following the below outline.)

Lawsuit #1 dismissed as frivolous, malicious, or failed to state a claim:

- a) Defendants: Yolo County, California Dept. of Corrections
- b) Name of court and case number: U.S. Court Eastern Dist. California/05-cv-1054 DFL
- c) The case was dismissed because it was found to be (check one): ☐ frivolous GBH. P.S.
☐ malicious or ☒ failed to state a claim upon which relief could be granted.
- d) Issues raised: SAME AS ABOVE
- e) Approximate date it was filed: MAY 27, 2005
- f) Approximate date of disposition: Nov. 22, 2005

Lawsuit #2 dismissed as frivolous, malicious, or failed to state a claim:

- a) Defendants: _____
- b) Name of court and case number: _____

- c) The case was dismissed because it was found to be (check one): _____ frivolous
_____ malicious or _____ failed to state a claim upon which relief could be granted.
- d) Issues raised: _____

- e) Approximate date it was filed: _____
- f) Approximate date of disposition: _____

i lawsuit #P dismissed as frivolous, malicious, or failed to state a claim:

- a) Defendants: _____
- b) Name of court and case number: _____
- c) The case was dismissed because it was found to be (check one): _____ frivolous
_____ malicious or _____ failed to state a claim upon which relief could be granted.
- d) Issues raised: _____

- e) Approximate date it was filed: _____
- f) Approximate date of disposition: _____

- P) Have you attempted to resolve the dispute stated in this action by seeking relief from the proper administrative officials, e.g., have you exhausted available administrative grievance procedures? ☒ Yes _____ No. If your answer is "No", did you not attempt administrative relief because the dispute involved the validity of a: (1) _____ disciplinary hearing; (2) _____ state or federal court decision; (3) _____ state or federal law or regulation; (4) _____ parole board decision; or (5) _____ other _____.

If your answer is "Yes", provide the following information: Grievance Number 480-2006-03509
Date and institution where grievance was filed July 16, 2006.

Response to grievance: After internal investigation the Federal "E.E.O.C." has granted me the right to suite.

E. REQUEST FOR RELIEF

I believe that I am entitled to the following relief:

For obstructing the Growth of my corporation I seek
compensatory Damages from ENCORE Productions Inc.
\$ (5) Five Million; From Desert PALMS Inc. \$ (5) Five Million;
From Hannah's Ent. Inc \$ (5) Five Million; Punitive Damages
(15) Fifteen Million equally assessed
my corporation is "WORLD WIDE MOTIVATOR & ENT. INC
A DELAWARE CORPORATION & Subsidiaries

I understand that a false statement or answer to any question in this complaint will subject me to penalties of perjury. **I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA THAT THE FOREGOING IS TRUE AND CORRECT.** p.e. 28 r .p.C. § 1746 and 18 r .p.C. § 1621.

KEVIN W. DUNIGAN
(Name of Person who prepared or helped
prepare this complaint if not Plaintiff)

[Signature]
(signature of Plaintiff)

9-21-07
(Date)

(Additional space if needed; identify what is being continued)
B. NATURE of the case, Declaration in support of time ENLARGE-
MENT with exhibits "A" thru " "

B. NATURE of CASE CONTINUED

the untimely response to the commission's ~~to~~ request, contained in the position statement is a "Security Statement" by Dickman. Dickman perjures himself when he states ~~I~~ asked to see his supervisor. In section II of "position statement" labeled "Kevin Dunigan" Paul Ades admits "Encore Productions" employees are permitted to receive (1) one meal. Ades also admits that Dickman had knowledge of (3) three other Encore employees eating with Plaintiff so clearly Dickman had singled out the plaintiff from the other Encore employees. See: *Yick Wo v. Hopkins* supra! while the reason of Dickman's detaining the Plaintiff is unlawful. If the Plaintiff had "remained around the drink station" just as Dickman asserts this is not an "Articulable Suspicion" to justify the detention. The Supreme Court has dealt with this position also in. (see: *Reid v. Georgia* (1980) 100 S.Ct. 2752: "Fourth and Fourteenth Amendments' prohibition of searches and seizures that are not supported by some objective justification govern all seizures of the person and, while in some circumstances a person may be detained briefly, without probable cause to arrest him, any curtailment of persons liberty by police must be supported by at least by reasonable or articulable suspicion that person seized is engaged in criminal activity." Also see *Florida v. Royers* (1983) 460 US 491, 103 S.Ct. 1319] While Paul Ades further perjures himself about Dunigan ever being employed by Caesar's see: Exhibit "C".

While subsequent measure were taken at Encore Productions which clearly seem to be reprisals for plaintiff to lodge a complaint with Caesar's based upon my Encore employment status. Encore's Administrative staff that supervises I. A. employees that works closely with corporate out of town client and local, show clearly both clients and Encore staff

began to show open hostility toward the plaintiff in just their supervisor capacity over the plaintiff in numerous situations, clearly this is the "evil eye" of (Yick Wo v. Hopkins (1886) supra) also see exhibit "D". The continuing of the "evil eye" of Yick Wo v. Hopkins (1886) supra leave room to Amend this complaint. As for now the issues presented are with the show of current exhibits. These facts give leave to the plaintiff that Encore Productions conspired subsequently with CEASARS' to find grounds to terminate Plaintiff's employment with Encore Productions. The U.S. Supreme court has also dealt with this type of vindictiveness in Blackledge v. Perry (1974) 417 U.S. 21, 28, 40 L.Ed. 2d 628, 94 S.Ct. 2098, the court dealt with whether the defendant must demonstrate bad faith on behalf of the prosecutor.

However, ~~not~~ was not grounded upon the proposition that actual retaliatory motivation must inevitably exist. Rather, we emphasize that since fear of some vindictiveness may unconstitutionally deter a defendant's exercise of the right to appeal or collaterally attack his first conviction, due process also requires that a defendant be freed of such a retaliatory motivation on the part of the sentencing judge."

Therefore the onset of this complaint is stemming from Desert Palace Inc. using its security officers who are "acting under "color of Law," to pursue discriminating actions.

Exhibit "A"

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: Kevin Dunigan
3200 S. Arville, #132
Las Vegas, NV 89102

From: Las Vegas Local Office
333 Las Vegas Blvd South
Suite-8112
Las Vegas, NV 89101



On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

480-2006-03509

Eranio F. Dolores,
Investigator

(702) 388-5052

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:



The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge.



Having been given 30 days in which to respond, you failed to provide information, failed to appear or be available for interviews/conferences, or otherwise failed to cooperate to the extent that it was not possible to resolve your charge.



While reasonable efforts were made to locate you, we were not able to do so.



You were given 30 days to accept a reasonable settlement offer that affords full relief for the harm you alleged.



The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, and/or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission

Lucy V. Orta,
Director

MAY 29 2007

(Date Mailed)

Enclosures(s)

cc: Albina Lovasz
Harrah's Entertainment
One Harrah's Court
Las Vegas, NV 89119

NEV. Rules of Federal Civil Procedures: Rule 6 TIME ENLARGEMENT

I, Kevin Dunigan do declare:

That I am the IN PRO PER Specialist within this cause of action.

At this time requesting through declaration, detailed within the complaint, with attached exhibits in support thereof of excusable neglect, for Time ENLARGEMENT. Nev. Rules of Fed Civ. Pro. Rule 6(b)(2).

1. ON MAY 29, 2007 the EEOC Issued to the plaintiff a "Notice of Right Suit Rights."

within Title VII, The Americans with Dis. Act giving the plaintiff 90 days to file any cause of action in U.S. Federal Court.

2 ON JULY 7, 2007 plaintiff suffered an unlawful arrest but was unable to post bail until Sept. 6, 2007.

3. Plaintiff now request the (52) Fifty two days lost by the unexpected delay, commencing from the day bond posted.

executed this 20th Day of Sept. 2007 in the State of Nevada under penalty of perjury.

KEVIN DUNIGAN
IN PRO PER Specialist
18

ARREST REPORT

SACRAMENTO COUNTY JAIL

STUDY
CLEAR-UP

1 ARRESTING AGENCY

☐ SSD☐ CHP☒ SPL

2 ARREST REPORT NO.

07-231760

1 1ST CHARGE

11377(A)

SOURCE
HS

2 TYPE CHARGE

☒ FEL ☐ MISD

3 CLASS CODE

13 CRIME DEFINITION

POSSESSION OF AMPHETAMINES

4 WARRANT BOOKING

WARRANT NO.

- 1 ARRESTING AGENCY-BENCH
2 ARRESTING AGENCY 40508 VC:
3 ARRESTING AGENCY-PARKING
4 ARRESTING AGENCY-ALL OTHER
5 OUTSIDE AGENCY WARRANT:

ORIGINAL CITATION CHARGES

3000

6 OTHER BOOKING

ENROUTE (NO WARRANT)

- 6 ARRESTING AGENCY A B
7 FEDERAL ARREST

8 TO

9 2ND CHARGE

SOURCE

2 TYPE CHARGE

☐ FEL ☐ MISD

3 CLASS CODE

10 CRIME DEFINITION

11 WARRANT BOOKING

WARRANT NO.

- 1 ARRESTING OFFICER-AGENCY
2 ARRESTING AGENCY 40508 VC:
3 ARRESTING AGENCY-PARKING
4 ARRESTING AGENCY-ALL OTHER
5 OUTSIDE AGENCY WARRANT:

ORIGINAL CITATION CHARGES

NAME OF AGENCY

12 OTHER BOOKING

ENROUTE (NO WARRANT)

- 6 ARRESTING AGENCY A B
7 FEDERAL ARREST

8 TO

13 WARRANT CHECK RUN

☒ SSD ☒ SPD ☒ CLETS

14 IS ARRESTEE PAROLEE?

☒ NO ☐ YES: ☐ CAA ☐ CYA

15 ARRESTEE/SUSPECT NAME (LAST FIRST MIDDLE)

DUNIGAN, KEVIN WAYNE

16 NICKNAME

17 ALIAS (LAST FIRST MIDDLE)

18 ARRESTEE/SUSPECT ADDRESS (NUMBER-STREET)

848 HERMITAGE WAY

19 CITY

SAC

20 STATE

CA

21 ZIP CODE

95823

22 HOME PHONE

23 SEX

M

24 RACE

W

25 AGE

37

26 DATE OF BIRTH

7/12/63

27 PLACE OF BIRTH

LA, CA

28 HEIGHT

5-10

29 WEIGHT

150

30 HAIR

BRN

31 EYES

BRN

32 MARKS, SCARS, ETC.

33 DRIVER'S LICENSE NO.

D1426619

34 STATE

CA

35 SOCIAL SECURITY NO.

868 61 7791

36 OCCUPATION - NAME OF EMPLOYER

37 BUSINESS PHONE

38 ARREST RESULTING FROM TRAFFIC ACCIDENT

☐ YES ☒ NO

39 ARRESTEE SOBRIETY

☒ SOBER☐ DRUNK☐ DRINKING☐ NARCOTIC☐ UNDER INFLUENCE

40 SOBRIETY TEST

☐ NO☐ REFUSED

41 SOBRIETY TEST GIVEN

☐ BLOOD☐ BREATH☐ URINE

42 NAME OF PARENT/GUARDIAN

43 ADDRESS

44 PHONE

45 NOTIFIED

☐ YES ☐ NO

46 HOW NOTIFIED?

47 BY WHOM?

48 SIGNATURE OF DEPUTY PROBATION OFFICER ACCEPTING CUSTODY

X

49 ADULT

70 UNFOUNDED

10 ARREST

20 ADULT EXCEPTION

DATE CLEARED

JUVENILE

30 NON-D-H/CITS IN CUSTODY

40 JUVI EXCEPTION

50 PROBATION

60 COUNSEL/RELEASE CANCEL BY PARENT

VEHICLE

51 LICENSE NO.

52 MODEL

53 BODY STYLE

54 COLOR

55 VEHICLE DISPOSITION

☐ STORED☐ IMPOUNDED

LOCATION:

56 STATE

57 MAKE

58 YEAR

59 MISDEMEANOR ARRESTS: INDICATE REASON FOR NON-RELEASE BY CITATION PURSUANT TO 863.6 (I) P.C.

- 1 INTOXICATION-DANGER TO SELF OR OTHERS
2 MEDICAL AID-UNABLE TO CARE FOR OWN SAFETY
3 ARREST FOR ONE OR MORE CRIMES UNDER 40302 VC
4 OUTSTANDING WARRANT(S)
5 UNSATISFACTORY IDENTIFICATION

- 6 RELEASE WOULD JEOPARDIZE PROSECUTION
7 LIKELIHOOD CRIME WILL CONTINUE OR SAFETY OF PERSONS OR PROPERTY WOULD BE ENDANGERED
8 DEMANDS TO SEE MAGISTRATE OR REFUSES TO SIGN CITATION
9 OTHER REASON(S): X-643379

60 SYNOPSIS OF CORPUS DELICTI FOR ADULT ARREST (FULL DETAILS REQUIRED FOR ADULT WITH NO CRIME REPORT OR JUVENILE CUSTODY) ALSO INCLUDE ALL ADDITIONAL CHARGES FOR WARRANT SERVED OR HELD IN ABEYANCE. LIST NUMBER, COURT CHARGE, DATE ISSUED, JUDGE AND AMOUNT OF BAIL

SEE P.L.

6000

61 REPORTING OFFICER

KNUTELA

62 BADGE

491

63 DIV

03

64 ASSISTING OFFICER

65 BADGE

66 DIV

Fairmont Specialtya division of **CrummForster**

The North River Insurance Company
 10777 Westheimer Road, Suite 500 (77042)
 P.O. Box 2807 • Houston, Texas 77252-2807
 (713) 954-8100 • (713) 954-8389 FAX

ALEX PADILLA BAIL BONDS

P.O. Box 2815
 Sacramento, CA 95811-0215
 (916) 551-4101
 Insurance Bail License: 1763425

(PLACE BAIL AGENT'S ADDRESS STAMP HERE)

BAIL BONDNo. 725-50042274

(POWER OF ATTORNEY WITH THIS NUMBER MUST BE ATTACHED)

IN THE Superior COURT OF THE Sacramento JUDICIAL DISTRICT
 COUNTY OF Sacramento, STATE OF CALIFORNIA

THE PEOPLE OF THE STATE OF CALIFORNIA,

CASE NO. 07F06642

Plaintiff,

DIV. NO. 04

vs.

Dunigan, Kevin Wayne
 Defendant Dunigan, Kevin Wayne Defendant
 (NAME OF DEFENDANT)

09193818-04

(BOOKING NO.)

having been admitted to bail in the sum of Twenty Three Thousand
 Dollars (\$) 23,000 and ordered to appear in the above-entitled court on
09-12-2007 1:30PM, on US 11378 charge/s;
 MONTH DAY YEAR TIME (STATE "MISDEMEANOR" OR "FELONY")

Now, THE NORTH RIVER INSURANCE COMPANY, a New Jersey Corporation, hereby undertakes that the above named defendant will appear in the above-named court on the date above set forth to answer any charge in any accusatory pleading based upon the acts supporting the complaint filed against him/her and as duly authorized amendments thereof, in whatever court may be filed and prosecuted, and will at all times hold him/herself amenable to the orders and process of the court and if convicted, will appear for pronouncement of judgment or grant of probation, or if he/she fails to perform either of these conditions, that THE NORTH RIVER INSURANCE COMPANY, a New Jersey Corporation, will pay to the People of the State of California the sum of

Twenty Three ThousandDollars (\$) 23,000-

subject to applicable legal provisions.

If the forfeiture of this bond be ordered by the Court, judgment may be summarily made and entered forthwith against the said THE NORTH RIVER INSURANCE COMPANY, a New Jersey Corporation, for the amount of its undertaking herein as provided by Sections 1305 and 1306 of the Penal Code.

THIS BOND IS VOID IF WRITTEN FOR AN AMOUNT GREATER THAN THE POWER OF ATTORNEY ATTACHED HERETO, IF MORE THAN ONE SUCH POWER IS ATTACHED OR IF WRITTEN AFTER THE EXPIRATION DATE SPECIFIED ON THE ATTACHED POWER OF ATTORNEY.

THE NORTH RIVER INSURANCE COMPANY
 (A New Jersey Corporation)



By Richard J. Klimaszewski
 Richard J. Klimaszewski - Vice President

I certify under penalty of perjury that I am a licensed bail agent of THE NORTH RIVER INSURANCE COMPANY and that I am executing this bond on

9-6-2007

(DATE)

at Sacramento

(LOCATION)

(SIGNATURE OF LICENSED AGENT)

THE PREMIUM CHARGED FOR

THIS BOND PER ANNUM IS: \$ 2300-Approved this 6 day of SEPT. 2007Timothy G. P. Title

NOTE: This is an Appearance Bond and cannot be construed as a guarantee for failure to provide payments, back alimony payments, FINES, or Wage Law claims, nor can it be as a Bond on Appeal.

PREMIUM

ALEX PADILLA BAIL BONDS
816 H S ET. SUITE #104
SACRAMENTO, CALIFORNIA 95814
PHONE: (916) 558-6900

38542

DATE 9-5-2007

Received from

Mary Dunigan

In re:

Two Thousand

Dollars \$ 2000-

AMOUNT OF ACC'T \$ 2300-

AMOUNT PAID \$ 2000-

BALANCE DUE \$ 300-

CASH (X) CHECK () OTHER

THANK YOU!

By

ALEX PADILLA BAIL BONDS

U. m. s.

Exhibit "B"

(GENERALIZATION)



LAW DEPARTMENT
One Harrah's Court
Las Vegas, Nevada 89119
TELECOPY NUMBER: (702) 407-6284

TRANSMITTAL SHEET

TO: Ms. Lucy Orta FACSIMILE NO: 388-5094
EEOC

DATE: December 18, 2006

FROM: Albina Lovasz, Labor & Employment Specialist

PHONE: (702) 407-6254

NUMBER OF PAGES: 2 (including cover sheet)

RE: *Kevin Dunigan v. Desert Palace, Inc., d/b/a Caesars Palace*
(incorrectly referred to as Caesars Palace Hotel)
EEOC Charge No. 480-2006-003509

If transmission is faulty, please contact Carol at (702) 407-6283

MESSAGE:

Please see attached. Thank you.

ORIGINAL WILL FOLLOW: X

ORIGINAL WILL NOT FOLLOW: _____

The information contained in this facsimile message is intended only for the use of the individual or entity to whom it is sent. If the recipient of this transmittal is not the intended recipient, or an employee or agent responsible to deliver it to the intended recipient, any dissemination, distribution or copy of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone, and return the original message to us at the above address via the U.S. Postal Service.



December 18, 2006

★
HARRAH'S
ENTERTAINMENT,
INC.

Ms. Lucy Orta
Director, EEOC
Las Vegas Local Office – 487
333 Las Vegas Boulevard South
Suite 8112
Las Vegas, NV 89101

VIA FACSIMILE: 388-5094

★
Law Department

One
Harrah's
Court

Re: *Kevin Dunigan v. Desert Palace, Inc., d/b/a Caesars Palace*
(incorrectly referred to as Caesars Palace Hotel)
EEOC Charge No. 480-2006-003509

Dear Ms. Orta:

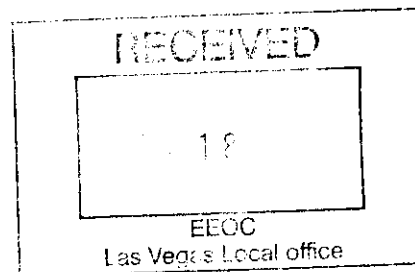
Las Vegas,
Nevada
89119-4312

This will confirm my telephone conversation with Daniel Garcia today wherein he kindly granted a one-week extension for the Employer to submit its Position Statement to the above Charge. The new due date for our response is December 26, 2006.

Thank you for your professional courtesy in this matter.

Sincerely,

Albina Lovasz
Albina Lovasz
Labor & Employment Specialist



★ harrahs.com

From: Origin ID: LASA (702)880-6851
Judith Schaffer
Harrah's
One Harrah's Court

Las Vegas, NV 89119



CL 94223M7/2/073

SHIP TO: (702)388-5054

BILL SENDER

Ms Lucy Orta
Equal Employment Opportunity Comm
333 Las Vegas Blvd So
Suite 8112
Las Vegas, NV 89101

Ship Date: 30MAR07
ActWgt: 1 LB
System#: 2955398/INET2600
Account#: S *****

Delivery Address Bar Code



Ref # N60, N30
Invoice #
PO #
Dept #

RECEIVED

APR - 2

PRIORITY OVERNIGHT

EEOC

MON

Las Vegas Local office

Deliver By:
02APR07

TRK# 7907 0617 6550

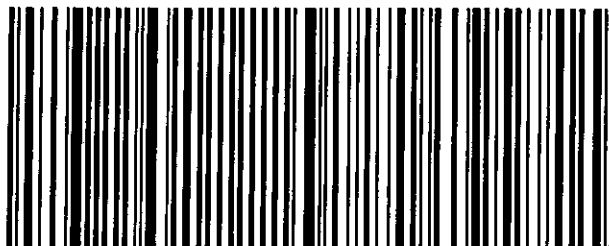
FORM
0201

LAS

A1

89101 -NV-US

96 GABA



Shipping Label: Your shipment is complete

1. Use the 'Print' feature from your browser to send this page to your laser or inkjet printer.
2. Fold the printed page along the horizontal line.
3. Place label in shipping pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

Warning: Use only the printed original label for shipping. Using a photocopy of this label for shipping purposes is fraudulent and could result in additional billing charges, along with the cancellation of your FedEx account number.

Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$500, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.

EOC Form 212-A (3/98)

U.S. Equal Employment Opportunity Commission

TO: Nevada Equal Rights Commission
1515 E. Tropicana Ave
Suite-590
Las Vegas, NV 89119

Date November 14, 2006
EEOC Charge No.
480-2006-03509
FEPA Charge No.

CHARGE TRANSMITTAL

SUBJECT:

Kevin Dunigan
Charging Party

v.

CAESARS PALACE HOTEL
Respondent

Transmitted herewith is a charge of employment discrimination initially received by the:

☒ EEOC


Name of FEPA

on

Nov 08, 2006

Date of Receipt

- ☒ Pursuant to the worksharing agreement, this charge is to be initially investigated by the EEOC.
- ☐ Pursuant to the worksharing agreement, this charge is to be initially investigated by the FEPA.
- ☐ The worksharing agreement does not determine which agency is to initially investigate the charge.

☐ EEOC requests a waiver

☐ FEPA waives

☐ No waiver requested

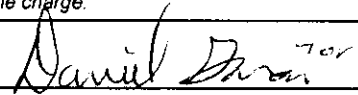
☐ FEPA will investigate the charge initially

Please complete the bottom portion of this form to acknowledge the receipt of the charge and, where appropriate, to indicate whether the Agency will initially investigate the charge.

Typed Name of EEOC or FEPA Official

Rosa M. Viramontes

Signature/Initials



Kevin Dunigan
Charging Party

v.

CAESARS PALACE HOTEL
Respondent

TO WHOM IT MAY CONCERN:

- ☐ This will acknowledge receipt of the referenced charge and indicate this Agency's intention to initially investigate the charge.
- ☒ This will acknowledge receipt of the referenced charge and indicate this Agency's intention not to initially investigate the charge.
- ☐ This will acknowledge receipt of the referenced charge and request a waiver of initial investigation by the receiving agency.
- ☐ This will acknowledge receipt of the referenced charge and indicated this Agency's intention to dismiss/close/not docket the charge for the following reasons:

Deborah E. Madison

NOV 17 2006

Typed Name of EEOC or FEPA Official

Olophius E. Perry

Signature/Initials

TO: Las Vegas Local Office - 487
333 Las Vegas Blvd South
Suite-8112
Las Vegas, NV 89101

Date November 14, 2006
EEOC Charge No.
480-2006-03509
FEPA Charge No.

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To: Agency(ies) Charge No(s):

☐ FEPA

☒ EEOC

480-2006-03509

Nevada Equal Rights Commission

and EEOC

State or local Agency, if any

Name (indicate Mr., Ms., Mrs.)

Mr. Kevin Dunigan

Home Phone (Incl. Area Code)

(702) 307-3803

Date of Birth

07-12-1963

Street Address

City, State and ZIP Code

3200 S. Arville, #132, Las Vegas, NV 89102

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)

Name

CAESARS PALACE HOTEL

No. Employees, Members

500 or More

Phone No. (Include Area Code)

(702) 731-7110

Street Address

City, State and ZIP Code

3570 Las Vegas Blvd. South, Las Vegas, NV 89109

Name

No. Employees, Members

Phone No. (Include Area Code)

Street Address

City, State and ZIP Code

DISCRIMINATION BASED ON (Check appropriate box(es).)

☒ RACE ☐ COLOR ☐ SEX ☐ RELIGION ☐ NATIONAL ORIGIN
☐ RETALIATION ☐ AGE ☐ DISABILITY ☐ OTHER (Specify below.)

DATE(S) DISCRIMINATION TOOK PLACE
 Earliest Latest

02-04-2006

02-04-2006

☐ CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):

- I. I had been employed by Encore Productions since November 2002. I was dispatched through I.A.T.S.E. Local 720 to work on Respondent's pavillion for a super bowl party. On February 4, 2006 I took my meal break with other three AV Technicians. I was accosted and I was questioned by Respondent's security officer while the two White co-workers were allowed to return to work. I showed the officers my local 720 badge that I was wearing at that time and told them I was working for Encore productions. I was held for about 30 minutes even after I followed the directives of the security officers who verified the information and eventually released me to return to work. I reported the incident to dispatch of I.A.T.S.E. Local 720.
- II. I was not given a reason by Respondent why I was held and detained for 30 minutes by the security officers.
- III. I believe that I was held and detained because of my race, Black, in violation of Title VII of the Civil Rights Act of 1964, as amended.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

NOTARY - When necessary for State and Local Agency Requirements

EEOC

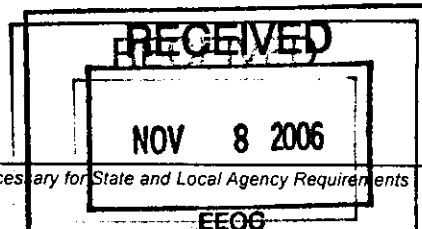
I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
 (month, day, year)

Date

Charging Party Signature



EEOC Form 212-A (3/98)

U.S. Equal Employment Opportunity Commission

TO: **Nevada Equal Rights Commission**
1515 E. Tropicana Ave
Suite-590
Las Vegas, NV 89119

Date **November 14, 2006**
 EEOC Charge No.
480-2006-03509
 FEPA Charge No.

CHARGE TRANSMITTAL

SUBJECT:

Kevin Dunigan
Charging Party

v.

CAESARS PALACE HOTEL
Respondent

Transmitted herewith is a charge of employment discrimination initially received by the:

☒ EEOC

☐

on

Nov 08, 2006*Name of FEPA**Date of Receipt*

☒ Pursuant to the worksharing agreement, this charge is to be initially investigated by the EEOC.

☐ Pursuant to the worksharing agreement, this charge is to be initially investigated by the FEPA.

☐ The worksharing agreement does not determine which agency is to initially investigate the charge.

☐ EEOC requests a waiver

☐ FEPA waives

☐ No waiver requested

☐ FEPA will investigate the charge initially

Please complete the bottom portion of this form to acknowledge the receipt of the charge and, where appropriate, to indicate whether the Agency will initially investigate the charge.

Typed Name of EEOC or FEPA Official

Rosa M. Viramontes

Signature/Initials

*Rosa M. Viramontes for***Kevin Dunigan**

v.

CAESARS PALACE HOTEL*Charging Party**Respondent*

TO WHOM IT MAY CONCERN:

☐ This will acknowledge receipt of the referenced charge and indicate this Agency's intention to initially investigate the charge.

☐ This will acknowledge receipt of the referenced charge and indicate this Agency's intention not to initially investigate the charge.

☐ This will acknowledge receipt of the referenced charge and request a waiver of initial investigation by the receiving agency.

☐ This will acknowledge receipt of the referenced charge and indicated this Agency's intention to dismiss/close/not docket the charge for the following reasons:

Typed Name of EEOC or FEPA Official

Olophius E. Perry

Signature/Initials

TO: **Las Vegas Local Office - 487**
333 Las Vegas Blvd South
Suite-8112
Las Vegas, NV 89101

Date **November 14, 2006**
 EEOC Charge No.
480-2006-03509
 FEPA Charge No.

EEOC FORM 131 (5/01)

U.S. Equal Employment Opportunity Commission

CAESARS PALACE HOTEL
3570 Las Vegas Blvd. South
Las Vegas, NV 89109

PERSON FILING CHARGE

Kevin Dunigan

THIS PERSON (check one or both)



Claims To Be Aggrieved



Is Filing on Behalf of Other(s)

EEOC CHARGE NO.

480-2006-03509

NOTICE OF CHARGE OF DISCRIMINATION

(See the enclosed for additional information)

This is notice that a charge of employment discrimination has been filed against your organization under:



Title VII of the Civil Rights Act



The Americans with Disabilities Act



The Age Discrimination in Employment Act



The Equal Pay Act

The boxes checked below apply to our handling of this charge:

1. ☐ No action is required by you at this time.
2. ☐ Please call the EEOC Representative listed below concerning the further handling of this charge.
3. ☒ Please provide by **15-DEC-06** a statement of your position on the issues covered by this charge, with copies of any supporting documentation to the EEOC Representative listed below. Your response will be placed in the file and considered as we investigate the charge. A prompt response to this request will make it easier to conclude our investigation.
4. ☐ Please respond fully by _____ to the enclosed request for information and send your response to the EEOC Representative listed below. Your response will be placed in the file and considered as we investigate the charge. A prompt response to this request will make it easier to conclude our investigation.
5. ☒ EEOC has a Mediation program that gives parties an opportunity to resolve the issues of a charge without extensive investigation or expenditure of resources. If you would like to participate, please say so on the enclosed form and respond by **30-NOV-06** to **Cherry D. Rojas, ADR Coordinator, at (213) 894-1030**. If you DO NOT wish to try Mediation, you must respond to any request(s) made above by the date(s) specified there.

For further inquiry on this matter, please use the charge number shown above. Your position statement, your response to our request for information, or any inquiry you may have should be directed to:

Rosa M. Viramontes,
Local Office Director

EEOC Representative

Telephone (702) 388-5099

Las Vegas Local Office - 487
333 Las Vegas Blvd South
Suite-8112
Las Vegas, NV 89101

Enclosure(s): ☒ Copy of Charge

CIRCUMSTANCES OF ALLEGED DISCRIMINATION

☒ RACE ☐ COLOR ☐ SEX ☐ RELIGION ☐ NATIONAL ORIGIN ☐ AGE ☐ DISABILITY ☐ RETALIATION ☐ OTHER

See enclosed copy of charge of discrimination.

Date

November 14, 2006

Name / Title of Authorized Official

Rosa M. Viramontes,
Director

Signature

EXHIBIT 1

Arrest <input type="checkbox"/> Crime <input type="checkbox"/> Non-Criminal <input checked="" type="checkbox"/>		Caesars Palace Security 3570 LAS VEGAS BLVD., S. LAS VEGAS, NV 89109 (702) 731-7110 CR-1				CASE# 0602C-1294 PAGE 1	
OFFENSE(S) Misc Incident Miscellaneous Incident				OFFENSE(S) cont'd.			
DATE, TIME AND DAY OF OCCURRENCE 02/04/06 19:20 Saturday				DATE AND TIME REPORTED 02/04/06 19:20		MORE CHARGES YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	
LOCATION OF OCCURRENCE Cleo's Cafe		LOCATION NAME		TYPE OF LOCATION		ESTIMATED LOSS VALUE BEAT SECTOR	
PERSONS Codes: V = Victim W = Witness C = Complainant P = Parent G = Guardian R = Party O = Other							
MORE NAMES YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>							
CODE	NAME - LAST, FIRST, MIDDLE, SUFFIX			BUSINESS		PHONE 1	
R 1 OF 1	Dunigan, Kevin			Encore Productions , ,			
OCCUPATION	RACE	SEX	AGE	DOB	ADDRESS 2	PHONE 2	
	B	M	42	07/12/1963			
DL	STATE	SS#	INJURIES		ADDRESS 3	PHONE 3	
CODE	NAME - LAST, FIRST, MIDDLE, SUFFIX			ADDRESS 1		PHONE 1	
OF							
OCCUPATION	RACE	SEX	AGE	DOB	ADDRESS 2	PHONE 2	
DL	STATE	SS#	INJURIES		ADDRESS 3	PHONE 3	
CODE	NAME - LAST, FIRST, MIDDLE, SUFFIX			ADDRESS 1		PHONE 1	
OF							
OCCUPATION	RACE	SEX	AGE	DOB	ADDRESS 2	PHONE 2	
DL	STATE	SS#	INJURIES		ADDRESS 3	PHONE 3	
CASE SUMMARY / VEHICLE INFORMATION							
SUMMARY Kevin Dunigan (Local #720) was observed in Cleo's Cafe and it was thought that he was not authorized to eat there. Dunigan became argumentative and was escorted to the security office where Rich Karl (Mgr, Tech Svcs) contacted and verified his employment							
VEHICLE USED IN CRIME		LICENSE (NO. AND STATE)		YEAR	MAKE	MODEL	BODY TYPE COLOR VIN
YES <input type="checkbox"/> NO <input type="checkbox"/>	UNK <input type="checkbox"/> OF <input type="checkbox"/>						MORE VEHICLES YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
TOW REPORT		GARAGE NAME AND PHONE		REGISTERED OWNER		RIG ADDRESS	
YES <input checked="" type="checkbox"/> Z <input type="checkbox"/> NO <input type="checkbox"/>							
SUSPECT(S) / ARRESTEE(S) Codes: S = Suspect A = Arrestee D = Detainee SV = Suspect/Victim AV = Arrestee/Victim DV = Detainee/Victim							
MORE NAMES YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>							
CODE	NAME - LAST, FIRST, MIDDLE, SUFFIX			ADDRESS 1		PHONE 1	
OF							
RACE	SEX	HT	WT	HAIR	EYE	AGE	DOB
OCCUPATION				INJURIES		ADDRESS 3	
SCARS / MARKS / TATTOOS		AKA's		ARRESTEE DISPOSITION		RELEASE LOCATION	
YES <input type="checkbox"/> NO <input type="checkbox"/>							
DI	STATE	ARRESTED	BOOKING #	WARRANT	CITATION #	SS#	ARREST DATE / TIME
		YES <input type="checkbox"/> NO <input type="checkbox"/>		YES <input type="checkbox"/> NO <input type="checkbox"/>			CH#
CHARGES							
CODE	NAME - LAST, FIRST, MIDDLE, SUFFIX			ADDRESS 1		PHONE 1	
OF							
RACE	SEX	HT	WT	HAIR	EYE	AGE	DOB
OCCUPATION				INJURIES		ADDRESS 3	
SCARS / MARKS / TATTOOS		AKA's		ARRESTEE DISPOSITION		RELEASE LOCATION	
YES <input type="checkbox"/> NO <input type="checkbox"/>							
DL	STATE	ARRESTED	BOOKING #	WARRANT	CITATION #	SS#	ARREST DATE / TIME
		YES <input type="checkbox"/> NO <input type="checkbox"/>		YES <input type="checkbox"/> NO <input type="checkbox"/>			CH#
CHARGES							
ADMINISTRATION							
VICTIM DESIRES PROSECUTION		FOLLOW-UP		COPIES TO		OTHER	
YES <input type="checkbox"/> NO <input type="checkbox"/>		YES <input type="checkbox"/> NO <input type="checkbox"/>		PAT DET DA COURT PROBATION VWAP			
BY OFFICER		DATE/TIME		APPROVED BY		DATE APPROVED	
P. Frye 666494489		02/04/06 20:01		Don Hamilton 994694083		02/05/06	
OFFICER		UNIT/SHIFT		ASSIGNED TO		CASE STATUS	
						Closed	

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To: Agency(ies) Charge No(s):

☐ FEPA

☒ EEOC

480-2006-03509

Nevada Equal Rights Commission

and EEOC

State or local Agency, if any

Name (indicate Mr., Ms., Mrs.)

Mr. Kevin Dunigan

Home Phone (Incl. Area Code)

(702) 307-3803

Date of Birth

07-12-1963

Street Address

City, State and ZIP Code

3200 S. Arville, #132, Las Vegas, NV 89102

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)

Name

CAESARS PALACE HOTEL

No. Employees, Members

500 or More

Phone No. (Include Area Code)

(702) 731-7110

Street Address

City, State and ZIP Code

3570 Las Vegas Blvd. South, Las Vegas, NV 89109

Name

No. Employees, Members

Phone No. (Include Area Code)

Street Address

City, State and ZIP Code

DISCRIMINATION BASED ON (Check appropriate box(es).)

☒ RACE ☐ COLOR ☐ SEX ☐ RELIGION ☐ NATIONAL ORIGIN
☐ RETALIATION ☐ AGE ☐ DISABILITY ☐ OTHER (Specify below.)

DATE(S) DISCRIMINATION TOOK PLACE

Earliest

Latest

02-04-2006

02-04-2006

☐ CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):

- I. I had been employed by Encore Productions since November 2002. I was dispatched through I.A.T.S.E. Local 720 to work on Respondent's pavillion for a super bowl party. On February 4, 2006 I took my meal break with other three AV Technicians. I was accosted and I was questioned by Respondent's security officer while the two White co-workers were allowed to return to work. I showed the officers my local 720 badge that I was wearing at that time and told them I was working for Encore productions. I was held for about 30 minutes even after I followed the directives of the security officers who verified the information and eventually released me to return to work. I reported the incident to dispatch of I.A.T.S.E. Local 720.
- II. I was not given a reason by Respondent why I was held and detained for 30 minutes by the security officers.
- III. I believe that I was held and detained because of my race, Black, in violation of Title VII of the Civil Rights Act of 1964, as amended.

RECEIVED

NOV 8 2006

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

NOTARY - When necessary for State and Local Agency Requirements

EEOC

Las Vegas Local office

I declare under penalty of perjury that the above is true and correct.

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(month, day, year)

11-8-06

Date

Charging Party Signature



CAESARS PALACE

LAS VEGAS

ENTERED



EVENT #: 0602C-1294		DATE: 2-4-06		TIME: 7:00 PM		PAGE: 1 OF 3	
TYPE OF INCIDENT: Racial Harassment/unlawful detainment				LOCATION OF INCIDENT: Cleo's Cafe			
YOUR NAME (LAST/FIRST/MIDDLE): DUNIGHAN Kevin W		DATE OF BIRTH: 7-12-63		SOCIAL SECURITY NUMBER: xxx-xx-0491		ASSOCIATE NUMBER:	
ADDRESS (STREET/CITY/STATE/ZIP) IF A CAESARS ASSOCIATE, SUBSTITUTE DEPARTMENT NAME AND POSITION: 5632 Champions Ave / ENCORE AV / -LOCAL 720							
HOTEL ROOM NUMBER: I.A.T.S.E		CHECK OUT DATE: N/A		PHONE #1: (702) 320-8077		PHONE #2: (702) 357-5899	
STAGBHAND							

DETAILS At 6:30 p.m. released the AV TECHS/video to 2nd floor at approximately 7pm Robert Weloff, Ron Terry and Calcuttara, Lee along with myself (all the Techs who had dined together) exited Cleo's Cafe. I was trailing the 4 four. After which time as we all returned our trays I watched security "bye" us as we were leaving. Security Richard (A caucasian) called for quick assistance who arrived, just as the third of the quad had exited leaving myself alone to the onslot of harassment that ensued by the caucasian officers. I was detained and questioned by Sec. Richard as to where I worked in the hotel, who do I work for ect. Even after I had showed

I HAVE READ THIS STATEMENT AND I AFFIRM TO THE TRUTH AND ACCURACY OF THE FACTS CONTAINED HEREIN. THIS STATEMENT WAS COMPLETED AT: Clark County NV ON THE 7th DATE OF February, 2006 AT 1631 hrs

SIGNATURE: [Signature] DATE: 2-7-06

WITNESSED BY: [Signature] DATE: 2/7/06
Keith Barker

Sec. Richard my clearly displayed union Membership badge (i.e. I.A.T.S.E. Local 720) AND informed him that I was working for ENCORE Productions. At which time Security Richard completely rejected all I affirmed as if it was false. At which time I even told him which I was involved in installing specific event rooms. At which time Sec. Richard ordered that he follow me to these destinations. While in the parking lot in route to the event center, (i.e. Pavilion) I told Sec. Richard his actions were RACIALLY motivated. And at that time he demanded that I go to the security office. Upon arrival to the security office I was taken to what appeared to be the general office, at which time an older gray haired CAUCASIAN officer arrived. The other officer who assisted Sec. Officer Richard in escorting me to the office, did disperse when the SR CAUCASIAN officer arrived.

The SR CAUCASIAN officer demanded that I enter another room, (i.e. one with a black bench and hand-cuffs attached to the seat). This action would appear to be a complete arrest. Eventually after containing and restraining my liberty for approximately 30 min., and numerous calls made to various department by the SR CAUCASIAN even after I told him the ENCORE M2 office A.V. Dept as if ~~he~~ to make this

2-of-3

ENTERED

Situation bigger than it actually was. The bold Caucasian Security Officer Richard and the Silver hair Sr Security officer, both of these officers refused to identify themselves with me. With the Sr Cauc. Sec. Off refusing to give any information on himself and wearing no badge of identification him thus his concealment overtly shows his actions were predicated on prejudice, not withstanding the fact that Sec. Officer Richard to identify himself any further than what was disclosed on his badge while both of these men violated my privacy. They kept me 30 minutes off my job, called everybody they could think of that didn't have nothing to do with the situation even after I told them to call ENCORE A V Dept on M2. Not even to mention that my mind and body is still in shock from the Car Accident not even a week and leaving the U.C Davis Trauma Center. So I'm not feeling none of this. A copy of this complaint will be forwarded to the Labor Commission

ENTERED

3-0f-3

EXHIBIT 2

14. Termination For Breach; Remedies; Governing Law.

15. Notice.

16. Force Majeure.

tice

17. Compliance Committee

18. No Partnership; Agency.

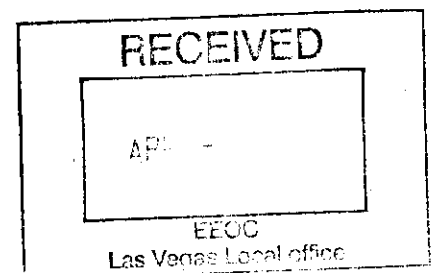
Neither party hereto is the partner, legal agent or representative of the other, and neither party shall hold itself out to others as such. Neither party shall have or exercise any authority to act on behalf of or as an agent of the other party or any of its affiliates, and neither party shall take any action which might tend to create an apparent agency, joint venture or partnership relationship between the parties.

DESERT PALACE, INC., dba
CAESARS PALACE

By: *Janice Ross*

ENCORE PRODUCTIONS, INC.

By: *W. O. E. R. A.*



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Kevin Dunigan**
3200 S. Arville, #132
Las Vegas, NV 89102

From: **Las Vegas Local Office**
333 Las Vegas Blvd South
Suite-8112
Las Vegas, NV 89101



On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

480-2006-03509

Eranio F. Dolores,
Investigator

(702) 388-5052

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:



The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge.



Having been given 30 days in which to respond, you failed to provide information, failed to appear or be available for interviews/conferences, or otherwise failed to cooperate to the extent that it was not possible to resolve your charge.



While reasonable efforts were made to locate you, we were not able to do so.



You were given 30 days to accept a reasonable settlement offer that affords full relief for the harm you alleged.



The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)

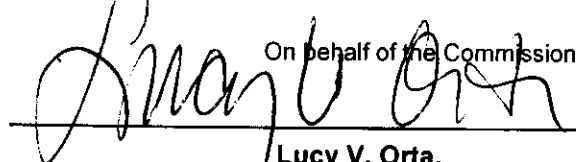
- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, and/or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

Enclosures(s)

On behalf of the Commission

Lucy V. Orta,
Director

MAY 29 2007

(Date Mailed)

cc: **Albina Lovasz**
Harrah's Entertainment
One Harrah's Court
Las Vegas, NV 89119

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Los Angeles District Office

PRE-COMPLAINT QUESTIONNAIRE - EMPLOYMENT

Please fill in the following information:

3200 S
 Arroyo #132
 LV. 89108

Your full name: <u>KEVIN WAYNE DUNIGAN</u>	
Your address: <u>1157 TONI AVE # 16</u>	
City: <u>LAS VEGAS</u>	State: <u>NV</u> Zipcode: <u>89119</u>
Your Email Address: <u>Topworlder @ Hotmail. com</u>	
Your Contact #'s: Home <u>(702) 307-3803</u> Work <u>(702) 873-3450</u> Cell <u>(702) 739-4144</u>	
Your Social Security Number: <u>568-61-0491</u> Your Date of Birth: <u>7-12-63</u>	
Your race: <u>Black</u> Your national origin: <u>USA</u> Your sex: <u>Male</u>	
Date of Hire or Date applied for position: <u>11-02</u>	
Job Title and salary at time of discrimination: <u>AV Tech</u> \$ <u>27.39 hr</u>	
I was discriminated against: (Name of company, government entity (city, county, state), union, etc. : Name: <u>CEASAR'S PALACE CASINO</u> Type of company business (i.e. retail, grocery, manufacturing : <u>Hotel / CASINO</u> Address where you worked: <u>3570 LAS VEGAS Blvd South</u> City/State: <u>LAS VEGAS, Nevada</u> Zip code: <u>89109</u> Phone Number: <u>(702) 731-7110</u> County where you were employed: <u>CLARK</u>	
Name and title of your immediate supervisor: <u>on that day Steve from ENCAP.</u>	
Approximate number of employees working for the whole company (Circle One):	
1-14	15-100
101-200	201-500
<u>More than 500</u>	